

Introduced by Senator PadillaDecember 1, 2008

An act to add Article 4 (commencing with Section 40520) to Chapter 3 of Part 1 of Division 30 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 25, as introduced, Padilla. Solid waste: diversion.

The California Integrated Waste Management Act of 1989, which is administered by the California Integrated Waste Management Board, requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The source reduction and recycling element of that plan is required to divert 50% of all solid waste from landfill disposal or transformation by January 1, 2000, through source reduction, recycling, and composting activities.

This bill would require the board, by July 1, ____, to develop a strategic and comprehensive plan to achieve, on or before January 1, ____, a diversion rate of 75% of solid waste statewide from landfill disposal or transformation.

The bill would require the board to adopt policies, programs, and incentives to ensure that on or before December 21, ____, 60% of all solid waste generated in the state is source reduced, recycled, or composted and to ensure that on or before January 1, ____, and annually thereafter, 75% of all solid waste generated is source reduced, recycled, or composted.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 4 (commencing with Section 40520) is
2 added to Chapter 3 of Part 1 of Division 30 of the Public Resources
3 Code, to read:

4
5 Article 4. Statewide Diversion
6

7 40520. The Legislature finds and declares all of the following:

8 (a) Since the enactment of this division, local governments and
9 private industry have worked jointly to create an extensive material
10 collection and recycling infrastructure and have implemented
11 effective programs to achieve a statewide diversion rate above 50
12 percent.

13 (b) Although the state now leads the nation in waste reduction
14 and recycling, the state continues to dispose of more than 40
15 million tons of waste each year, which is more than the national
16 average on a per capita basis.

17 (c) To meet the goals of the California Global Warming
18 Solutions Act of 2006 (Division 25.5 (commencing with Section
19 38500) of the Health and Safety Code), there is an urgent need to
20 reduce greenhouse gas emissions from all aspects of solid waste
21 handling through increased source reduction, reuse, and recycling.

22 (d) The purpose of this article is to build on the successful efforts
23 of local governments and private industry to achieve a statewide
24 diversion rate of 75 percent by January 1, _____, through strategic
25 statewide initiatives developed and implemented by the board.

26 40521. On or before July 1, _____, the board shall develop a
27 strategic and comprehensive plan to achieve, on or before January
28 1, _____, a diversion rate of 75 percent of solid waste statewide
29 from landfill disposal or transformation. The plan developed by
30 the board shall include all of the following:

31 (a) Place primary emphasis on programs that minimize the
32 generation of solid waste, maximize diversion from landfills, and
33 manage materials to ensure their highest and best use in accordance
34 with the waste management hierarchy specified in Section 40051
35 and in support of the California Global Warming Solutions Act of
36 2006 (Division 25.5 (commencing with Section 38500) of the
37 Health and Safety Code).

1 (b) Include specific statewide strategies for promoting producer
2 responsibility, increasing commercial recycling, expanding the
3 recovery of construction and demolition debris, increasing the
4 diversion of organics, and increasing recycling opportunities for
5 multifamily housing.

6 (c) Identify opportunities to update and expand the source
7 reduction and recycling elements of the local integrated waste
8 management plans prepared pursuant to Chapter 2 (commencing
9 with Section 41000) or Chapter 3 (commencing with Section
10 41300) of Part 2, to include cost-effective opportunities to advance
11 waste management practices that increase diversion and reduce
12 greenhouse gas emissions.

13 (d) Include specific strategies to enable each state agency to
14 achieve a diversion rate of 75 percent on or before January 1, ____
15 .

16 (e) Identify incentives, investments, and environmentally sound
17 processing technologies that are necessary to achieve a diversion
18 rate of 75 percent.

19 40522. The board shall adopt policies, programs, and incentives
20 to ensure that solid waste generated in this state is source reduced,
21 recycled, or composted, in accordance with the following schedule:

22 (a) On or before December 21, ____, ensure that 60 percent of
23 all solid waste generated is source reduced, recycled, or composted.

24 (b) On or before January 1, ____, and annually thereafter, ensure
25 that 75 percent of all solid waste generated is source reduced,
26 recycled, or composted.